St. Paul’s Ev. Lutheran Church

474 Yalick Road
Dallas, PA 18612

Child Protection

And

Sexual Abuse Prevention Policy

Adopted by Congregation Council December 6, 2005

Revised January 24, 2015

Note to congregation: This policy was adopted by the Congregation Council in December 2005 following review by our legal counsel.

**St. Paul’s Mission Statement**: St. Paul's Lutheran Church is a family called together by God and united by a common faith. Our mission is to share with all people, God's Love and Grace through Word and Sacrament. Through the Holy Spirit, we are empowered to witness and serve, treating one another with love, compassion, forgiveness, and understanding. By our commitments, actions, deeds, and resources, we share the Good News of Jesus Christ, reaching out to our community, nation and world. Adopted May 1993.

**St. Paul’s Policy Statement**

God embraces his children with love, placing their nurture and care in our hands. We believe that children and adults should be safe from all forms of abuse, neglect and sexual harassment. We, the church, will be advocates for all God’s children and establish clearly defined safeguards, policies, and procedures for their protection.

**Introduction**

As a church we respect all of God’s children as God’s own. St. Paul’s Ev. Lutheran Church (herein St. Paul’s) is committed therefore, to creating and maintaining a worship and work community in which members, friends, staff, and volunteers can worship and work together in an atmosphere free of all forms of discrimination, harassment, exploitation, abuse or intimidation. As a church, as a house of God, we are committed to providing an environment of nurture and security for all, children and adults.

A single incident of abuse or molestation or sexual harassment can be devastating to everyone. It is impossible to describe the hurt, emotional pain, and suffering the victim experiences. Abuse is especially hurtful when it happens at church. A deep sense of violation occurs when someone is abused in a place that professes to be a safe and caring community. There is also the enormous potential for legal liability that the church, its officers and directors, and related institutions face.

Sexual misconduct is a serious problem. In many cases, the church establishing boundaries for its leaders, volunteers and members can prevent misconduct. Ministers, other church leaders and volunteers need guidance and accountability in establishing and maintaining boundaries in their service to the congregation. This policy’s intent is to help in the establishing of appropriate boundaries for ministry.

**Goal**

The goal of this policy is to address the issues of child protection and sexual misconduct/abuse as they relate to St. Paul’s. All allegations of sexual, physical, or emotional misconduct will be taken seriously by St. Paul’s. The procedures and guidelines contained in this document have been developed to ensure a safe environment for children, our staff, our volunteers and entire church family.

Toward the above end, we commit ourselves to follow establish procedures and selection as to recruitment of employees and volunteers who work with children; to implement procedures which minimize the risk of sexual abuse to children; to educate our employees and volunteers who work with children about our child protection and sexual abuse policy; to make it known in the congregation that all members of St Paul’s are an essential part of providing a safe environment for our children; to make copies of our policy readily available; to follow clearly defined procedures for reporting a suspected incident of child sexual abuse; to be prepared to respond to inquiries from the general public, the media and/or members of the congregation if an incident of child sexual abuse occurs.

**Implementation**

The provisions of this policy will be effective as of January 25, 2006 and as revised January 24, 2015.

**Objectives**

The purposes or objectives of this policy are as follows:

1. Parents and guardians of children under eighteen will know that the activities and programs of St Paul’s are as safe as humanly possible to make them and that the children will be well supervised while in the care of the church.
2. Members will know that St. Paul’s is a house of God where all are treated with courtesy and respect.
3. It will establish procedures for reducing/preventing incidents of abuse or sexual misconduct.
4. It will provide procedures and guidelines for the screening, education and training of all leaders and volunteers who work with youth or children in order to conduct activities and programs safely, training in responding to dangerous situations and training in reporting dangerous situations.
5. It will establish procedures for limiting the liability of St Paul’s.
6. It will establish procedures for reporting incidents or allegations of any type of abuse or sexual misconduct.

**PROCEDURES:**

**Liability**

1. St Paul’s, through the Finance Committee, will periodically review its insurance policies and maintain liability coverage for staff and volunteers.

**Building**

1. All Sunday School Classrooms and any other rooms that are used for the purpose of working with children on a regular basis will have windows so activity inside may be observed.
2. It is recommended to Pastor, teachers, youth leaders, and seminary interns when using rooms without windows in the door, that the door be left open.
3. All classrooms, offices, work areas, and other areas where children or youth activities are held will be periodically inspected for unsafe conditions.

**Reporters**

1. All employees and volunteers, including youth leaders, teachers, seminary interns, and all other members of St. Paul’s who have responsibility for the welfare of a child or who have direct contact with children are by law mandated reporters and must report all suspected child abuse to CHILDLINE: 800 932-0313.

**Screening of Personnel**

1. As per PA House Bill No. 435, all employees and unpaid volunteers of St. Paul’s responsible for the welfare of a child or having direct contact with children will be required to submit, and re-submit every 36 months, the following certifications or reports to St. Paul’s. The cost of these background checks will be borne by the church with opportunity being made for donations by individuals to help offset the cost of the checks.
	1. Employees:
		1. PA Criminal History report from the PA State Police
		2. Certification from the PA Department of Human Services
		3. Federal Criminal History report from the FBI, which shall include submission of the individual’s fingerprints to the PA State Police.
	2. Volunteers (including all Sunday School Teachers, Children’s Choir Directors and volunteer leaders, Youth Advisors, seminary interns) must submit only i. and ii. above, provided they meet these conditions:
		1. the position is unpaid
		2. the person has been a PA resident for no less than 10 years, and;
		3. the person swears or affirms in writing that she/he is not disqualified from service under the provisions of the law.
2. The results of these screening checks will be kept in a locked file in the church office. Only the person procuring the checks for the congregation (currently Carol Fett), the Pastor, the chairperson of the Christian Education committee, and the Sunday School superintendent will have access to these records.
3. Anyone who has been convicted of or plead guilty to either child sexual or physical abuse will not be permitted to work with children or youth.
4. Any individual who has had a Child Abuse check come back with either an indicated or founded status will not be permitted to work with youth or children.
5. All paid employees will be required to complete an employment application and will be personally interviewed.
6. All references will be checked.
7. No volunteer will be allowed to work alone with minors until they have been a member of the church for a minimum of six (6) months or a regular attendee for a minimum of one (1) year.

**SUPERVISION OF CHILDREN POLICIES**

Churches can use reasonable care in selecting workers, but still be liable for injuries sustained during church activities on the basis of negligent supervision. Negligent supervision refers to a failure to exercise reasonable care in the supervision of church workers and church activities.

St. Paul’s can reduce the risk of negligent supervision by following the procedures described below.

**General Rules**

1. In all situations children will be treated with respect. Physical discipline is never an option. No one is to strike or hit anyone at any time. All other discipline must meet the standards of Christian conduct.
2. Our church follows the “Open Door Policy.” Parents of the children served, ministers, administrative, and professional staff of the church have the right to visit and observe any program at any time unannounced.
3. Whenever possible, activities involving children will have at least two adults present in the church facility; at least one of the adults will be 21 years of age or older.
4. Whenever possible, employees and volunteers will avoid being alone with a single child unless visual access by another adult is possible.
5. First Aid Kits will be kept in appropriate areas. A First Aid Kit will be taken on all trips away from the church.
6. In case of injury or medical situation, parents/guardians will be contacted. The supervisors will take appropriate First Aid action as necessary, including calling 911 in case of a medical emergency.
7. Dietary concerns and allergies must be obtained from parent(s)/guardian(s) and must be indicated on consent forms.
8. Policy will be reviewed at annual organizational meeting of the Congregation Council and Staff Support will review with staff at annual review.

**Sunday School**

1. Periodically the Superintendent of the Sunday School will observe Sunday School Teachers in their classrooms.
2. Classroom door should be left open when there is only one adult teacher and one student.
3. Policy/Guidelines will be reviewed at annual Sunday School Teachers meeting.

**Other Church Groups Using the Facilities**

1. Any other church group or organization that is part of St. Paul’s, affiliated with St. Paul’s or sponsored by St. Paul’s is expected to meet all applicable provisions of this policy as they pertain to youth safety and the protection and supervision of youth.
2. Co-operative Ecumenical events held at St. Paul’s are excluded from this policy.

**Youth Group and Other Youth Activities at Church**

1. No Youth Group programs/meetings will be conducted without the knowledge of the church office.
2. For any overnight activities, there will be a minimum of two adults. Under no circumstances is one adult to sleep in areas with youth.

**Counseling Sessions**

1. It is recommended that all counseling or meetings between the counselee and counselor will take place on church premises.
2. It is recommended that no counseling will take place between an adult and youth if there are no other adults present in the vicinity to allow for monitoring.
3. Insurance policy requirement – after three counseling sessions, counselee should be referred to professional counselor.

**Drop Off and Pick Up Guidelines**

1. St Paul’s will make a reasonable effort to notify parents of class or event times. Parents should not drop their children off early as St Paul’s will not be able to provide supervision, nor insure the safety of the children.
2. If an unauthorized person arrives to pick up the child, the teacher, Christian Education Director or leader shall make a reasonable effort to clarify the situation before the child is released after obtaining information such as the name, relationship to the child, and description of the individual. Verification of the information with a driver’s license is also encouraged.
3. Children are not to leave the facility without the group leader’s permission.
4. Group leaders are advised not to leave the classroom or building until all students from their class have been picked up or other appropriate arrangements for classroom supervision have been made. Appropriate arrangements should be made so that no adult is left alone with one child.

**Restroom Guidelines**

1. It is recommended that leaders monitor children’s use of restrooms, encouraging a buddy system for younger children, or monitor the restrooms from the hallway if practical.

**Transportation of Youth**

1. It is not necessary for a parent to undergo background screening to help chaperone or drive a youth to an event. Every effort should be made to avoid a single passenger with driver.
2. All drivers must have a valid driver’s license and qualify for the vehicle being operated.
3. All drivers must have proof of insurance, a valid registration for vehicle and valid inspection sticker.
4. Seat belts must be worn and their usage strictly enforced. All car seat laws for younger youth must be obeyed and enforced. Vehicles must be in good running condition.
5. All State Traffic Laws must be observed. Speeding is not permitted nor will it be tolerated.
6. There will be designated departure sites and explicit times set where/when parent(s)/guardians(s) are to pick-up/drop off youth for each event.
7. Exact event location(s), site phone numbers, and event addresses will be provided to all parent(s)/guardian(s). Adult leaders will also provide their cellular phone numbers to parent(s)/guardian(s), if applicable, prior to departure.
8. Parents of children who ride with driver under 21 years of age must provide parental permission.

**Response to Sexual Abuse**

St Paul’s will respond promptly to investigate any accusation of sexual abuse. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The Congregation Vice President or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the Congregation Vice President is the individual accused of sexual abuse, then the Congregation Secretary will conduct the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws (for children, call CHILDLINE, 1 800 932-0313, and for adults, contact local police) and to the authorities of the Northeastern PA Synod, ELCA.
2. Report the matter to St Paul’sinsurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. St Paul’s may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. The Pastor or Vice President of St Paul’s (and legal counsel or other consultants) will then meet with the governing body of St Paul’s and present a report on their investigation, which will include findings and recommendations of actions.
6. The Pastor or Vice President of St Paul’s will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. The Pastor or Vice President of St Paul’s will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.
8. During the investigation, the Pastor or Vice President of St Paul’s shall maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.
9. The Pastor or Vice President of St Paul’s (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
10. Communicate with criminal and civil legal counsel of St Paul’s.
11. Communicate with those affected by the ministry of the alleged perpetrator.
12. Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, subject to the approval of St Paul’s attorney.

**CONCLUSION**

It is obvious that no screening policy, no set of procedures, no one type of education can guarantee that we can absolutely prevent any type of abuse or harassment occurring. But it is obvious that in this day and age, we need to be more vigilant and more pro-active than we have ever been in the church where it concerns the most defenseless of God’s children, our own youth as well as adult members of the congregation.

This policy and the procedures and steps detailed within it are our effort to do everything humanly possible to protect all of God’s children, youth and adults, and to enable all of us to be treated with dignity and respect.

**APPENDIX A – DEFINITIONS**

***Child Abuse*** – Under 23 PA Cons. Stat. Ann. § 6303(a)-(b) (West Supp. 1998), “Child abuse” shall mean any of the following.

* Any recent act or failure to act by a perpetrator which causes non-accidental serious physical injury to a child under 18 years of age;
* An act or failure to act by a perpetrator which causes non-accidental serious mental injury to, or sexual abuse or sexual exploitation of, a child under 18 years of age;
* Any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to, or sexual abuse or sexual exploitation of, a child under 18 years of age;
* Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a child’s life or development or impairs the child’s functioning.

***Child Emotional Abuse*** – It is a pattern of behavior attacking a child’s self-worth. It includes belittling, terrorizing, isolating, rejecting, ignoring, and corrupting the child. When continued over a period of time, these activities affect the child’s emotional development.

***Child Neglect*** – This is a legal designation defined in state laws. In general, it denotes the failure of caregivers to provide life’s necessities – food, clothing, shelter, health care, and supervision – when they have the resources and the legal obligation to do so. Poverty alone is not a legal basis for child neglect. Rather it is a failure to provide what is in the power of the parent to supply, such as affection, attention, and protection, that is the basis for reportable neglect.

***Child Physical Abuse*** – It is the non-accident injury of a child caused by the acts of a parent or other caregiver. Abuse-related injuries may include cuts, lacerations, abrasions, bruises, fractures, and burns. The shape of the injuries and their locations on the child’s body often provide clues that they were not caused through the normal wear and tear of childhood.

***Child Sexual Abuse*** – This includes the obscene or pornographic photographing, filming, or depiction of children for commercial purposes or exploitation; the employment, persuasion, inducement, enticement, or coercion of any child to engage in or assist any simulation of any sexually explicit conduct, for the purpose of producing visual depiction of any sexually explicit conduct; or the rape, molestation, incest, prostitution, or other form of sexual exploitation of children. Generally speaking the following four conditions are necessary for child sexual abuse to take place:

* An individual with proclivity to sexually abuse
* That individual overcomes internal prohibitions
* That individual overcomes external barriers
* That individual overcomes resistance by the child

***Child Sexual Molestation*** – Sexual contact short of intercourse, such as exposure, touching, or masturbation.

**APPENDIX B – REPORTING AN INCIDENT**

When a child discloses abuse:

* Control your emotions
* Listen to the child
* Reassure the child
* Document
* Call CHILDLINE – 1-800-932-0313

Responses to avoid when a child first discloses abuse:

* Do not require the child to tell others in the church
* Do not be suggestive in your questioning
* Do not teach body parts
* Do not challenge the child’s honesty
* Do not ask “why”
* Do not try to prove or disprove” child abuse
* Do not demand details
* Do not use words such as “good/bad”
* Do not use dolls or stuffed animals
* Do not try to change the child’s mind
* Do not force the child to talk

Documentation should include:

* Name and position of the person(s) receiving or observing the disclosure of child abuse
* Child’s name
* What prompted the child to reveal abuse
* Observations of, or conversations with, the child (note for each related contact)
1. Date
2. Place
3. Observations
4. Comments
5. Questions of the child
* Child’s statement/response (exact quotes, if possible)
* Name of the person suspected of abusing the child (if known)
1. Relationship to the child (family member, paid staff, volunteer, other)
* Name and title of the administrator or designee receiving the report
1. Date & time of report
2. Comments
* Call to CHILDLINE – 1-800-932-0313
1. Date & time of report
* Completion and submission of the Report of Suspected Child Abuse (form CY-47)
1. Date & time

**APPENDIX C – PERMISSION FORMS**

See Marjorie Marquart.